

Message Text

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SUBJ: MOCHTAR ON ARCHIPELAGOES, STRAITS, AND OVERFLIGHT

REF: A. STATE 162571 B. JAKARTA 9330 C. JAKARTA 9563

DEPARTMENT MAY WISH TO PASS TO MANILA AND NEW DELHI

1. SUMMARY:

JUSTICEMINISTER MOCHTAR IN AUGUST 7 MEETING
SUMMED UP STATUS OF LOS ISSUES OF MAJOR IMPORTANCE TO US
AND INDONESIA AS A) INDONESIA HAS CONCEDED PASSAGE OF
WARSHIPS AND SUBMARINES THROUGH ARCHIPELAGO SEALANES; B)
WIDTH OF THESE SEALANES "NEGOTIABLE"; C) INDONESIA
PREPARED EVENTUALLY TO AGREE TO FREE TRANSIT THROUGH
STRAITS AND OVERFLIGHT OF BOTH ARCHIPELAGO SEALANES AND
STRAITS; HOWEVER, TIMING OF THIS LATTER IMPORTANT SINCE
INDONESIA CANNOT AFFORD TO MEET US REQUIREMENTS AT EXPENSE
OF OWN INTERESTS. MOCHTAR ASKED US UNDERSTANDING OF
INDONESIA'S INABILITY TO MAKE PUBLIC COMMITMENT ON
OVERFLIGHT AT THIS TIME, AS REQUESTED IN SECRETARY
INGERSOLL'S LETTER TO MALIK. IN VIEW GREAT PROGRESS
WE HAVE ACHIEVED AND GOOD PROSPECTS FOR ULTIMATE SUCCESS
IN BRINGING US AND INDONESIAN POSITIONS INTO AGREEMENT,
AND GIVEN RISK PRESIDENT SUHARTO WOULD VIEW ADVERSELY
US OPPOSITION TO ARCHIPELAGO PRINCIPLE, I URGE WE MAKE
EVERY EFFORT TO HOLD OFF TAKING SUCH A STAND AT THIS

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TIME. END SUMMARY

2. I MET WITH JUSTICE MINISTER (AND LOS COORDINATOR) MOCHTAR AUGUST 7 FOR FIRST TIME SINCE HIS RECENT RETURN FROM CARACAS AND HIS JULY 31 MEETING WITH PRESIDENT SUHARTO. AT START OF CALL I GAVE MOCHTAR A COPY OF SECRETARY INGERSOLL'S LETTER TO FONMIN MALIK (REFS A AND B) WHICH HE HAD NOT YET SEEN (ALTHOUGH HE GENERALLY AWARE OF CONTENTS), STATING I HAD MENTIONED MATTER TO PRESIDENT SUHARTO DURING MY AUGUST 3 CALL (REF C). NOTING THAT CARACAS CONFERENCE NOT YET MAKING SUFFICIENT PROGRESS, IN LARGE PART BECUASE POLITICAL CONSIDERATIONS OUTWEIGHING SUBSTANTIVE AND TECHNICAL ONES, MOCHTAR GAVE FRANK APPRAISAL OF PRESENT STATUS AND LIKELY OUTCOME OF LOS ISSUES OF MAJOR BILATERAL INTEREST.

3. EXPRESSING DEEP APPRECIATION FOR IMPORTANT CONTRIBUTION MADE BY JOHN MOORE, MOCHTAR STATED THAT DIFFERENCES BETWEEN US AND INDONEISA HAVE BEEN SUBSTANTIALLY OVERCOME. INDONESIA HAS ALREADY CONCEDED RIGHT OF FREE TRANSIT OF WARSHIPS AND SUBMARINES THROUGH ARCHIPELAGO SEALANES, NOT WITHOUT SOME POLITICAL COST IN ITS RELATIONSHIP WITH THIRD WORLD COUNTRIES. IT IS PREPARED EVENTUALLY ACCEPT OVERFLIGHT OF SEALANES. WIDTH OF THESE SEALANES AND DIMENSIONS OVERHEAD AIRSPACE NEGOTIABLE QUESTIONS WHICH SHOULD PRESENT NO MAJOR PROBLEMS. WHILE FIJI AND MAURITIUS WILL GO ALONG, PHILIPPINES CONTINES TO RESIST IDEA OF FREE TRANSIT THROUGH ARCHIPELAGOES. HARDNESS OF THEIR POSITION MAY BE RELATED TO FACT THAT THEY DO NOT REALLY NEED ARCHIPELAGO THEORY TO UNITE THEIR COUNTRY, SINCE THEY BELIEVE THEY HAVE "HISTORIC RIGHTS" DATING FROM TIME OF SPANISH-AMERICAN WAR. WHEN I ASKED WHETHER MOCHTAR SAW SOME POSSIBLE "GIVE" IN GOP POSITION, HE REPLIED THAT HE DID, IN CONTEXT OF AN OVERALL LOS PACKAGE IN WHICH EACH COUNTRY GOT SOMETHING IT WANTED. OTHER MAJOR FLY IN OINTMENT IS INDIA, WHICH LAUNCHED ITS OWN ARCHIPELAGO CONCEPT OVER STRENUOUS OBKECTIONS OF INDONESIANS WHO ASKED THEM NOT TO MUDDY WATERS.

4. TURING TO REMAINING PROBLEMS OF STRATIS AND OVERFLIGHT OF ARCHIPELAGO SEALANES AND STRAITS, MOCHTAR STATED THAT
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INDONESIA REALIZES THAT THESE MUST BE SATISFACTORILY RESOLVED BEFORE US, USSR AND OTHE MAJOR MARITIME POWERS WILL ACCEPT ARCHIPELAGO PRINCIPLE. INDONESIA IS PREPARED TO ACCEPT FREE TRANSIT OF STRAITS AND OVERFLIGHT OF STRAITS AND ARCHIEPLAGO SEALANES AT A TIME WHEN IT CAN DO SO WITHOUT DESTROYING ITS POSITION IN THIRD WORLD AND THEREBY LOSING SUPPORT FOR ARCHIPELAGO PRINCIPLE IN THAT CAMP. AS INDONESIA SEES IT, AS NEGOTIATIONS OF

ENTIRE GAMUT OF ISSUES PROCEED (AND MOCHTAR INDICATED HE THOUGHT VIENNA WOULD BE DECIIVE PHASE), THIRD WORLD AND STRAITS NATIONS WILL GET THAT THEY WANT IN OTHER AREAS OF INTERESTS. FOR EXAMPLE, SUCH ADAMENT OPPONENTS OF FREE TRANSIT OF STRAITS AS SPAIN, MOROCCO AND OMAN WILL DROP THEIR OPPOSITION AS A RESULT OF BEING PAID OFF IN ONE WAY OR ANOTHER EITHER WITHIN OR WITHOUT LOS CONTEXT (EG "SPANISH BASES"). IN IMPROVED CLIMATE WHICH SUCH GRATIFICATION OF VARIOUS NATIONAL INTERSTS WILL ENGENDER, INDONESIA WILL BE ABLE TO SUPPORT FREE TRANSIT OF STRAITS AND OVEFLIGHT OF STRAITS AND ARCHIPELAGOES WITHOUT POLITICAL BACKLASH IT WOULD UNDERGO IF IT WERE TO DO SO NOW. MOST THAT INDONESIA MIGHT CONSIDER NOW WOULD BE ARTICLE WHICH WOULD INDICATE THAT ARCHIPELAGIC STATES MIGHT NEGOTIATE ARRANGEMENTS FOR OVERFLIGHT OF SEALANES UNDER APPROPRIATE CIRCUMSTANCES. HE ADDED THAT EVEN FINAL ARTICLE SHOULD IT FULLY ACCEPT PRINCIPLE, MIGHT NEED HAVE SOME FACE-SAVING CLAUSE SUCH AS "CONSISTENT WITH NATIONAL INTERESTS."

5. HARKING BACK TO POLITICIZATION OF LOS CONFERENCE, MOCHTAR NOTED THAT, WHILE US HAS MADE SERIES OF UNIFORMLY CONSTRUCTIVE PROPOSALS, IT IS NOW AN LDC "SPORT" TO OPPOSE ANYTHING USG SUPPORTS. IN THIS CONNECTION HE ADDED THAT INDONESIA WOULD NOT WELCOME US BEING TOO "ACTIVE" IN ANY EVENTUAL SUPPORT OF ARCHIEPLAGO PRINCIPLE AT THIS TIME. AFTER A GENERALLY SATISFACTORY DIVISION OF POS PIE, "ACTIVE" US SUPPORT WOULD BE WELCOME.

6. MOCHTAR SPECULATED THAT URGENCY OF TIMING INDICATED IN SECRETARY INGERSOLL'S LETTER COULD REFLECT FEELING WITHIN SOME PARTS OF USG THAT UNLESS WE OBTAIN INDONESIA'S SUPPORT OF OVERLFIGHTS NOW, INDONESIA WILL OBTAIN
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ACCEPTANCE OF ARCHIPELAGO PRINCIPLE BY OVERWHELMING VOTE OF LDCS AFTER WHICH IT WILL BE UNWILLING TO COMPROMISE. MOCHTAR STRESSED THAT SUCH A READING WOULD BE TOTALLY INACCURATE SINCE INDONESIA IS REALISTIC ENOUGH TO REALIZE THAT WITHOUT ACCEPTANCE BY US, USSR AND OTHE MAJOR MARITIME POWERS, ARCHIPELAGO PRINCIPLE HAS NO MEANING.

7. AT CLOSE OF CONVERSATION I SAID THAT, IF WORST CAME TO WORSE AND WE FELT THAT WE MUST OPPOSE ARCHIPELAGO PRINCIPLE PUBLICLY, I WOULD HOPE THAT MOCHTAR WOULD EXPALIN ENTIRE SITUATION TO SUHARTO, EMPHASIZING DISTANCE WHICH WE HAD COME IN EFFORT TO REACH AGREEMENT WITH INDONESIA. MOCHTAR REPLIED THAT HE WOULD DO SO. I FURTHER NOTED THAT I PLANNED TO

MEET WITHH FONMIN MALIK IN NEAR FUTURE TO DISCUSS
QUESTION OF GOI REPLY TO SECRETARY INGERSOLL'S LETTER.

8. COMMENT: I BELIEVE THAT MOCHTAR, WHO ON SEVERAL
OCCASIONS ASKED LEAVE TO "SPEAK FRANKLY", HAS GIVEN US
GOI'S SUBSTANTIVE REACTION TO SECRETARY INGERSOLL'S
LETTER. SINCE WE AND INDONESIA HAVE VIRTUALLY REACHED
AGREEMENT ON ALL MAJOR POINTS, AND INDONESIA HAS MADE
SUBSTANTIVE CONCESSIONS TO US VIEWPOINT, IT WOULD IN OUR
VIEW BE MOST UNFORTUNATE IF AT THIS TIME WE FELT COMPELLED
TO OPPOSE ARCHIPELAGO PRINCIPLE. I FEAR THAT PRESIDENT
SUHARTO, WHO MAKES POLICY ON MAJOR ISSUES SUCH AS THIS
AND IS AWARE OF CONCESSIONS INDONESIA HAS MADE, WOULD
FAIL TO UNDERSTAND SITUATION IN WHICH INDONESIA'S
INABILITY TO OFFER PUBLIC SUPPORT FOR OVERFLIGHT NOW
(AS OPPOSED TO LATER) REQUIRES US AT THIS TIME TO
OPPOSE GOI ON MATTER WHICH THEY CONSIDER VITAL, AND THAT
US-INDONESIAN RELATIONS WOULD SUFFER ACCORDINGLY.
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